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11 RICARDO DURAN

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14 IN THE UNITED STATES DISTRICT COURT  
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16  
17 UNITED STATES OF AMERICA, ) Case No. 2:20-cr-00228-JAM-1  
18 Plaintiff, )  
19 vs. ) **STIPULATION AND ORDER TO**  
20 RICARDO DURAN, ) **CONTINUE STATUS CONFERENCE AND**  
21 Defendant. ) **HEARING RE MOTION TO SUPPRESS**  
22 ) **AND EXCLUDE TIME**  
23 ) Date: August 10, 2021  
24 ) Time: 9:30 a.m.  
25 ) Judge Hon. John A. Mendez  
26 )  
27 )  
28 )

17 IT IS HEREBY STIPULATED by and between Phillip A. Talbert, Acting United States  
18 Attorney, through Alexis Nelsen, Assistant United States Attorney, counsel for Plaintiff  
19 (hereinafter “the government”) and Heather Williams, Federal Defender, through Assistant  
20 Federal Defender Lexi Negin, counsel for Defendant Ricardo Duran (hereinafter “defense  
21 counsel”), **that the status conference and the Hearing re Motion to Suppress, both**  
22 **scheduled for August 10, 2021 may be vacated and continued to August 17, 2021 at 9:30**  
23 **a.m.**

24 Defense counsel requires additional time to review discovery, conduct further legal  
25 research; meet with her client to discuss potential resolution; and otherwise prepare for the  
26 motion hearing. Defense counsel believes that failure to grant the requested continuance would  
27 deny Mr. Duran the reasonable time necessary for effective preparation, taking into account the  
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1 exercise of due diligence. The government does not object to the continuance.

2 Based upon the foregoing, the parties agree time under the Speedy Trial Act should be  
3 excluded through and including August 17, 2021; pursuant to 18 U.S.C. §3161(h)(7)(A)and  
4 (B)(iv) [reasonable time to prepare] and General Order 479, Local Code T4 based upon defense  
5 preparation and Local Code E based on Defendant's pending Motion to Suppress.

6 Respectfully submitted,

7 HEATHER E. WILLIAMS  
8 Federal Defender

9 Date: August 6, 2021

10 /s/ Lexi Negin  
LEXI NEGIN  
11 Assistant Federal Defender  
Attorneys for Defendant  
RICARDO DURAN

12 Date: August 6, 2021

13 PHILLIP A. TALBERT  
Acting United States Attorney

14 /s/ Alexis Nelsen  
15 ALEXIS NELSEN  
16 Assistant United States Attorney  
Attorneys for Plaintiff

## ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

The Court orders the time excluded from August 10, 2021 to August 17, 2021 from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for defense counsel to prepare] and General Order 479, (Local Code T4) and 18 U.S.C §18:3161(h)(1)(D) Local Code E (pending motion). The Court finds the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. It is further ordered the August 10, 2021 status conference shall be continued until August 17, 2021, at 9:30 a.m. before Honorable John A. Mendez.

IT IS SO ORDERED.

Date: August 6, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE